

AMENDED IN ASSEMBLY JUNE 10, 2013

AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 184

Introduced by Committee on Governance and Finance (Senators Wolk (Chair), Beall, DeSaulnier, Emerson, Hernandez, Knight, and Liu)

February 6, 2013

An act to amend *Section 11010.4 of the Business and Professions Code*, to amend Sections 12419.8, 12419.10, 27201, 41802, 41803, 41805, 50281, 53243.4, 53395.1, 53395.2, 53395.10, 53395.13, 53395.14, 53395.17, 53395.85, 53396, ~~53890~~ 66428, 66442.5, and 66449 of the Government Code, to amend Section 9002 of the Health and Safety Code, to amend Section 32556 of, and to repeal Sections 9973, 9974, 9975, 9976, 9977, and 9978 of, the Public Resources Code, and to amend Section 36622 of the Streets and Highways Code, and to amend Sections 3.1, 23, and 29 of, and to repeal Section 24 of, the Kings River Conservation District Act (*Chapter 931 of the Statutes of 1951*), relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 184, as amended, Committee on Governance and Finance. Local government: omnibus bill.

(1) Existing law requires any person who intends to offer subdivided lands within this state for sale or lease to file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire, as specified. Existing law exempts from this requirement a proposed offering of subdivided land where each lot, parcel, or unit of the subdivision will be sold or offered for sale improved with a completed residential structure and with all

other improvements completed that are necessary for occupancy or with financial arrangements determined to be adequate by the city to ensure completion of the improvements.

This bill would specify that a lot, parcel, or unit satisfies the requirement that it be improved with a completed residential structure if it is improved with a completed residential structure at the time it is conveyed by the subdivider.

(1)

(2) Existing law, the Public Cemetery District Law, defines the term “family member” for purposes of that law to include, among others, a person’s spouse.

This bill would additionally include within the definition of “family member” a person’s domestic partner, and would define the term “domestic partner,” as specified.

(2)

(3) Existing law requires specified employment contracts between a local agency and an officer or employee to include a provision that would fully reimburse the local agency for that officer’s or employee’s salary if that officer or employee is convicted of a crime involving an abuse of his or her office or position. Existing law, for purposes of these provisions, defines the term “abuse of office or position” to include, among other things, a crime against public justice, including bribery of an executive or judicial officer of the state.

This bill would revise the definition of “abuse of office or position” to include bribery of a Member of the Legislature.

(3)

(4) Existing law, the Subdivision Map Act, requires the city engineer or county surveyor, as appropriate, to sign an approved final or parcel map and indicate his or her registration number and stamp the map with his or her seal.

This bill would additionally require the city engineer or county surveyor to provide that date on which he or she signed the final or parcel map, and to include his or her seal.

(5) *Existing law, the Subdivision Map Act, provides that for any conveyance of land to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a local public utility for conveyance to that public utility for rights-of-way, rights-of-way may not be considered a division of land for purposes of computing parcels.*

This bill would instead provide that a parcel map is not required for land conveyed to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a local public utility for conveyance to that public utility for rights-of-way, unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates a parcel map.

~~(4)~~

(6) Existing law, the Baldwin Hills Conservancy Act, requires the board of the Baldwin Hills Conservancy to consist of 13 voting members, including, among others, the member of the Los Angeles County Board of Supervisors within whose district the majority of the Baldwin Hills area is located.

This bill would instead require one of the 13 voting members to include the member of the Los Angeles County Board of Supervisors within whose district the majority of the Baldwin Hills area is located, or his or her designee.

~~(5)~~

(7) Existing law allows the Controller, either in his or her discretion or upon local request, to offset or deduct certain amounts due from a person or entity to a city or county against certain state claims. Existing law also requires the Controller, to the extent feasible, to offset any amount overdue and unpaid for a fine, penalty, assessment, bail, vehicle parking penalty, or court-ordered reimbursement for court-related services, against any amount owing the person or entity by a state agency on a claim for a refund from the Franchise Tax Board under the Personal Income Tax Law or the Bank and Corporation Tax Law, or from winnings in the California State Lottery.

This bill would expand these provisions to apply to amounts due to special districts, in addition to amounts due to cities and counties.

(8) *Existing law requires the county recorder, upon payment of proper fees and taxes, to accept for recordation any instrument, paper, or notice that is authorized or required to be recorded, as specified. Existing law requires the recorder to accept a facsimile signature on a lien recorded by a governmental agency when that facsimile signature has been officially adopted by that agency, and requires a copy of the agency's resolution or action adopting the signature for facsimile transmission purposes or a certified copy of the agency's adopted signature to be provided to the county recorder when the signature is officially adopted by the agency, or at the beginning of each calendar year.*

This bill would instead require the agency to provide the officially adopted facsimile signature by letter, and would provide that the facsimile signature will continue to be valid until the agency notifies the county recorder that the facsimile signature has been revoked.

(9) Existing law authorizes the owner of a qualified historical property and the legislative body of a city, county, or city and county to contract to enforceably restrict the use of the property in exchange for a reduction in the property tax assessment on the property. Existing law requires the owner or agent of an owner to record the contract with the county in which the property is located within 6 months of entering into the contract.

This bill would repeal the requirement that the owner or agent of the owner record the contract with the county in which the property is located within 6 months of entering into the contract.

~~(6)~~

(10) Existing law requires the Ventura County Resource Conservation District to meet specified criteria, including criteria related to its subdivisions, boundaries, elections, and board of directors.

This bill would remove these provisions.

~~(7)~~

(11) The Property and Business Improvement District Law of 1994 requires, prior to the establishment of a property and business improvement district pursuant to the act, that the proponents of the district submit to the city council a management district plan. A management district plan may provide that a class or category of real property which is exempt by law from real property taxation may nevertheless be included within the boundaries of the district but shall not be subject to assessment on real property.

This bill would remove this provision.

(12) The Kings River Conservation District Act establishes the Kings River Conservation District, and sets forth the requirements for the election of members of the board of directors. Existing law requires the district to be split into electoral divisions for the election of members of the board of directors.

This bill would require that in an election, the candidate receiving the highest number of votes cast for the office of director for a specific division be declared elected.

Existing law requires all vacancies occurring in the office of director to be filled by appointment by the remaining directors, as specified.

This bill would instead require the district to fill vacancies in the board in the same manner as those vacancies on the governing board of a special district are filled.

Existing law authorizes the district to incur bonded indebtedness, and requires the district to hold a special election on the question prior to incurring indebtedness. Existing law sets forth the procedures for conducting that election.

This bill would require the district to instead comply with the Irrigation District Law in issuing bonds.

(8)

(13) This bill would also make technical, nonsubstantive, and conforming changes to provisions relating to local government.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) This act shall be known, and may be cited,
2 as the Local Government Omnibus Act of 2013.

3 (b) The Legislature finds and declares that Californians want
4 their governments to be run efficiently and economically and that
5 public officials should avoid waste and duplication whenever
6 possible. The Legislature further finds and declares that it desires
7 to control its own costs by reducing the number of separate bills.
8 Therefore, it is the intent of the Legislature in enacting this act to
9 combine several minor, noncontroversial statutory changes relating
10 to the common theme, purpose, and subject of local government
11 into a single measure.

12 SEC. 1.5. Section 11010.4 of the Business and Professions
13 Code is amended to read:

14 11010.4. The notice of intention specified in Section 11010 is
15 not required for a proposed offering of subdivided land that satisfies
16 all of the following criteria:

17 (a) The owner, subdivider, or agent has complied with Sections
18 11013.1, 11013.2, and 11013.4, if applicable.

19 (b) The subdivided land is not a subdivision as defined in
20 Section 11000.1 or 11004.5.

21 (c) Each lot, parcel or unit of the subdivision is located entirely
22 within the boundaries of a city.

1 (d) Each lot, parcel or unit of the subdivision will be sold or
2 offered for sale improved with a completed residential structure
3 and with all other improvements completed that are necessary to
4 occupancy or with financial arrangements determined to be
5 adequate by the city to ensure completion of the improvements. *A*
6 *lot, parcel, or unit shall satisfy the requirement that it be improved*
7 *with a completed residential structure if it is improved with a*
8 *completed residential structure at the time it is conveyed by the*
9 *subdivider.*

10 SEC. 2. Section 12419.8 of the Government Code is amended
11 to read:

12 12419.8. (a) The Controller may, in his or her discretion, offset
13 any amount due a city, county, or special district from a person or
14 entity pursuant to paragraph (1), (2), or (4) of subdivision (c), and
15 shall, at the request of the city, county, or special district, offset
16 any amount due a city, county, or special district from a person or
17 entity pursuant to paragraph (3) of subdivision (c), against any
18 amount owing the person or entity by a state agency on a claim
19 for a refund from the Franchise Tax Board under the Personal
20 Income Tax Law or the Bank and Corporation Tax Law, a claim
21 for refund from the State Board of Equalization under the Sales
22 and Use Tax Law, from winnings in the California State Lottery,
23 or a claim filed by the owner, as described in subdivision (d) of
24 Section 1540 of the Code of Civil Procedure, for payment of money
25 from unclaimed property held by the state. Standards and
26 procedures for submission of requests for offsets shall be as
27 prescribed by the Controller. Whenever insufficient funds are
28 available to satisfy an offset request, the Controller, after first
29 applying the amounts available to any amount due a state agency,
30 may allocate the balance among any other requests for offset.

31 (b) The Controller shall deduct and retain from any amount
32 offset in favor of a city, county, or special district an amount
33 sufficient to reimburse the Controller, the Franchise Tax Board,
34 the State Board of Equalization, or the California State Lottery for
35 their administrative costs of processing the offset payment.

36 (c) This section shall apply only to any of the following
37 situations:

- 38 (1) Where the amount has been reduced to a judgment.
39 (2) Where the amount is contained in an order of a court.

1 (3) Where the amount is from a bench warrant for payment of
2 any fine, penalty, or assessment.

3 (4) Where the amount is delinquent unsecured property taxes
4 on which a certificate lien has been filed for record in the office
5 of the county recorder pursuant to Section 2191.3 of the Revenue
6 and Taxation Code.

7 (d) For purposes of paragraph (4) of subdivision (c):

8 (1) Upon the tax collector's request for taxpayer identification
9 numbers required by the Controller's procedures, the tax collector
10 shall immediately notify the appropriate assessee, by registered or
11 certified mail, that the request has been made for the purpose of
12 intercepting refunds from the state government due the taxpayer,
13 in order to offset the delinquent property tax obligation. The letter
14 shall state that if the assessee does not pay the outstanding tax
15 amount to the tax collector within 20 days, the required taxpayer
16 identification number will be so provided.

17 (2) The tax collector shall not be named in any action that may
18 be brought as a result of compliance with this subdivision.

19 SEC. 3. Section 12419.10 of the Government Code is amended
20 to read:

21 12419.10. (a) (1) The Controller shall, to the extent feasible,
22 offset any amount overdue and unpaid for a fine, penalty,
23 assessment, bail, vehicle parking penalty, or court-ordered
24 reimbursement for court-related services, from a person or entity,
25 against any amount owing the person or entity by a state agency
26 on a claim for a refund from the Franchise Tax Board under the
27 Personal Income Tax Law or the Bank and Corporation Tax Law,
28 from winnings in the California State Lottery, or a cash payment
29 of a claim for unclaimed property held by the state. Standards and
30 procedures for submission of requests for offsets shall be as
31 prescribed by the Controller. Whenever insufficient funds are
32 available to satisfy an offset request, the Controller, after first
33 applying the amounts available to any amount due a state agency,
34 may allocate the balance among any other requests for offset.

35 (2) Any request for an offset for a vehicle parking penalty shall
36 be submitted within three years of the date the penalty was
37 incurred. This three year maximum term for refund offsets for
38 parking tickets applies to requests submitted to the Controller on
39 or after January 1, 2004.

1 (b) Once an offset request for a vehicle parking penalty is made,
2 a local agency may not accrue additional interest charges, collection
3 charges, penalties, or other charges on or after the date that the
4 offset request is made. Payment of an offset request for a vehicle
5 parking penalty shall be made on the condition that it constitutes
6 full and final payment of that offset.

7 (c) The Controller shall deduct and retain from any amount
8 offset in favor of a city, county, or special district an amount
9 sufficient to reimburse the Controller, the Franchise Tax Board,
10 the California State Lottery, and the Department of Motor Vehicles
11 for their administrative costs of processing the offset payment.

12 (d) Notwithstanding Chapter 3.5 (commencing with Section
13 6250) of Division 7 of Title 1, or any other provision of law, the
14 social security number of any person obtained pursuant to Section
15 4150, 4150.2, or 12800 of the Vehicle Code is not a public record
16 and shall only be provided by the Department of Motor Vehicles
17 to an authorized agency for the sole purpose of making an offset
18 pursuant to this section for any unpaid vehicle parking penalty or
19 any unpaid fine, penalty, assessment, or bail of which the
20 Department of Motor Vehicles has been notified pursuant to
21 subdivision (a) of Section 40509 of the Vehicle Code or Section
22 1803 of the Vehicle Code, responding to information requests from
23 the Franchise Tax Board for the purpose of tax administration, and
24 responding to requests for information from an agency, operating
25 pursuant to and carrying out the provisions of Part A (Block Grants
26 to States for Temporary Assistance for Needy Families) or Part D
27 (Child Support and Establishment of Paternity) of Subchapter IV
28 of Chapter 7 of Title 42 of the United States Code. As used in this
29 section, “authorized agency” means the Controller, the Franchise
30 Tax Board, or the California *State* Lottery Commission.

31 *SEC. 3.5. Section 27201 of the Government Code is amended*
32 *to read:*

33 27201. (a) The recorder shall, upon payment of proper fees
34 and taxes, accept for recordation any instrument, paper, or notice
35 that is authorized or required by statute, or court order to be
36 recorded, or authorized or required to be recorded by a local
37 ordinance that relates to the recordation of any instrument, paper,
38 or notice that relates to real property, if the instrument, paper, or
39 notice contains sufficient information to be indexed as provided
40 by statute, meets recording requirements of state statutes and local

1 ordinances, and is photographically reproducible. The county
 2 recorder shall not refuse to record any instrument, paper, or notice
 3 that is authorized or required by statute, court order, or local
 4 ordinance that relates to the recordation of any instrument, paper,
 5 or notice that relates to real property to be recorded on the basis
 6 of its lack of legal sufficiency.

7 “Photographically reproducible,” for purposes of this division,
 8 means all instruments, papers, or notices that comply with
 9 standards as recommended by the American National Standards
 10 Institute or the Association for Information and Image Management
 11 for recording of records.

12 (b) (1) Each instrument, paper, or notice shall contain an
 13 original signature or signatures, except as otherwise provided by
 14 law, or be a certified copy of the original.

15 (2) A facsimile signature shall be accepted on a lien recorded
 16 by a governmental agency when that facsimile signature has been
 17 officially adopted by that agency. The lien shall have noted on its
 18 face a statement to that effect. ~~A copy of the agency’s resolution~~
 19 ~~or action adopting the signature for facsimile transmission purposes~~
 20 ~~or a certified copy of the agency’s adopted signature~~ *The officially*
 21 *adopted facsimile signature* shall be provided to the county
 22 recorder ~~when the signature is officially adopted by the agency,~~
 23 ~~or at the beginning of each calendar year by a letter from the~~
 24 ~~agency. A facsimile signature shall continue to be valid until the~~
 25 ~~agency notifies the county recorder that the facsimile signature~~
 26 ~~has been revoked.~~

27 SEC. 4. Section 41802 of the Government Code is amended
 28 to read:

29 41802. The city attorney shall frame an ordinance or resolution
 30 required by the legislative body.

31 SEC. 5. Section 41803 of the Government Code is amended
 32 to read:

33 41803. The city attorney shall perform other legal services
 34 required from time to time by the legislative body.

35 SEC. 6. Section 41805 of the Government Code is amended
 36 to read:

37 41805. (a) A city attorney who does not, in fact, exercise
 38 prosecutorial responsibilities on behalf of the city or cities by which
 39 he or she is employed shall not be precluded from defending or
 40 assisting in the defense of, or acting as counsel for, any person

1 accused of any crime except for violation of any ordinance of the
2 city or cities by which he or she is employed, provided that:

3 (1) The city or cities by which the city attorney is employed
4 expressly relieve the city attorney of any and all prosecutorial
5 responsibilities on its or their behalf; and

6 (2) The accused has been informed of and expressly waives any
7 rights created as a result of any potential conflict created by his or
8 her attorney's position as a city attorney.

9 (b) Where the above provisions are met, partner or associate of
10 a city attorney shall not be prevented from defending or assisting
11 in the defense of, or acting as counsel for, any person accused of
12 any crime except for violations of any ordinance of the city or
13 cities by which his or her partner or associate is employed as a city
14 attorney.

15 This section shall not preclude any city from limiting or
16 prohibiting the private practice of any attorney it retains or
17 employs.

18 *SEC. 6.5. Section 50281 of the Government Code is amended*
19 *to read:*

20 50281. Any contract entered into under this article shall contain
21 the following provisions:

22 (a) The term of the contract shall be for a minimum period of
23 10 years.

24 (b) Where applicable, the contract shall provide the following:

25 (1) For the preservation of the qualified historical property and,
26 when necessary, to restore and rehabilitate the property to conform
27 to the rules and regulations of the Office of Historic Preservation
28 of the Department of Parks and Recreation, the United States
29 Secretary of the Interior's Standards for Rehabilitation, and the
30 State Historical Building Code.

31 (2) For an inspection of the interior and exterior of the premises
32 by the city, county, or city and county, prior to a new agreement,
33 and every five years thereafter, to determine the owner's
34 compliance with the contract.

35 (3) For it to be binding upon, and inure to the benefit of, all
36 successors in interest of the owner. A successor in interest shall
37 have the same rights and obligations under the contract as the
38 original owner who entered into the contract.

1 ~~(e) The owner or agent of an owner shall record the contract~~
2 ~~with the county in which the property is located within six months~~
3 ~~of entering into the contract.~~

4 SEC. 7. Section 53243.4 of the Government Code is amended
5 to read:

6 53243.4. For purposes of this article, “abuse of office or
7 position” means either of the following:

8 (a) An abuse of public authority, including, but not limited to,
9 waste, fraud, and violation of the law under color of authority.

10 (b) A crime against public justice, including, but not limited to,
11 a crime described in Title 5 (commencing with Section 67), Title
12 6 (commencing with Section 85), or Title 7 (commencing with
13 Section 92) of Part 1 of the Penal Code.

14 SEC. 8. Section 53395.1 of the Government Code is amended
15 to read:

16 53395.1. Unless the context otherwise requires, the definitions
17 contained in this article shall govern the construction of this
18 chapter.

19 (a) “Affected taxing entity” means any governmental taxing
20 agency which levied or had levied on its behalf a property tax on
21 all or a portion of the property located in the proposed district in
22 the fiscal year prior to the designation of the district, but not
23 including any county office of education, school district, or
24 community college district.

25 (b) “City” means a city or a city and county.

26 (c) “Debt” means any binding obligation to repay a sum of
27 money, including obligations in the form of bonds, certificates of
28 participation, long-term leases, loans from government agencies,
29 or loans from banks, other financial institutions, private businesses,
30 or individuals.

31 (d) “Designated official” means the city or county engineer or
32 other appropriate official designated pursuant to Section 53395.13.

33 (e) (1) “District” means an infrastructure financing district.

34 (2) An infrastructure financing district is a “district” within the
35 meaning of Section 1 of Article XIII A of the California
36 Constitution.

37 (f) “Infrastructure financing district” means a legally constituted
38 governmental entity established pursuant to this chapter for the
39 sole purpose of financing public facilities.

1 (g) “Landowner” or “owner of land” means any person shown
2 as the owner of land on the last equalized assessment roll or
3 otherwise known to be the owner of the land by the legislative
4 body. The legislative body has no obligation to obtain other
5 information as to the ownership of land, and its determination of
6 ownership shall be final and conclusive for the purposes of this
7 chapter. A public agency is not a landowner or owner of land for
8 purposes of this chapter, unless the public agency owns all of the
9 land to be included within the proposed district.

10 (h) “Legislative body” means the city council or board of
11 supervisors.

12 SEC. 9. Section 53395.2 of the Government Code is amended
13 to read:

14 53395.2. (a) The revenues available pursuant to Article 3
15 (commencing with Section 53396) may be used directly for work
16 allowed pursuant to Section 53395.3, may be accumulated for a
17 period not to exceed five years to provide a fund for that work,
18 may be pledged to pay the principal of, and interest on, bonds
19 issued pursuant to Article 4 (commencing with Section 53397.1),
20 or may be pledged to pay the principal of, and interest on, bonds
21 issued pursuant to the Improvement Bond Act of 1915 (Division
22 10 (commencing with Section 8500) of the Streets and Highways
23 Code) or the Mello-Roos Community Facilities Act of 1982
24 (Chapter 2.5 (commencing with Section 53311)), the proceeds of
25 which have been or will be used entirely for allowable purposes
26 of the district. The revenue of the district may also be advanced
27 for allowable purposes of the district to an Integrated Financing
28 District established pursuant to Chapter 1.5 (commencing with
29 Section 53175), in which case the district may be party to a
30 reimbursement agreement established pursuant to that chapter.
31 The revenues of the district may also be committed to paying for
32 any completed public facility acquired pursuant to Section 53395.3
33 over a period of time, including the payment of a rate of interest
34 not to exceed the bond buyer index rate on the day that the
35 agreement to repay is entered into by the city or county.

36 (b) The legislative body may enter into an agreement with any
37 affected taxing entity providing for the construction of, or
38 assistance in, financing public facilities.

39 SEC. 10. Section 53395.10 of the Government Code is amended
40 to read:

1 53395.10. A legislative body of a city or county may designate
2 one or more proposed infrastructure financing districts pursuant
3 to this chapter. Proceedings for the establishment of a district shall
4 be instituted by the adoption of a resolution of intention to establish
5 the proposed district and shall do all of the following:

6 (a) State that an infrastructure financing district is proposed to
7 be established under the terms of this chapter and describe the
8 boundaries of the proposed district, which may be accomplished
9 by reference to a map on file in the office of the clerk of the city.

10 (b) State the type of public facilities proposed to be financed
11 by the district. The district may only finance public facilities
12 authorized by Section 53395.3.

13 (c) State that incremental property tax revenue from the city or
14 county and some or all affected taxing entities within the district
15 may be used to finance these public facilities.

16 (d) Fix a time and place for a public hearing on the proposal.

17 SEC. 11. Section 53395.13 of the Government Code is amended
18 to read:

19 53395.13. After adopting the resolution pursuant to Section
20 53395.10, the legislative body shall designate and direct the city
21 or county engineer or other appropriate official to prepare an
22 infrastructure plan pursuant to Section 53395.14.

23 SEC. 12. Section 53395.14 of the Government Code is amended
24 to read:

25 53395.14. After receipt of a copy of the resolution of intention
26 to establish a district, the official designated pursuant to Section
27 53395.13 shall prepare a proposed infrastructure financing plan.
28 The infrastructure financing plan shall be consistent with the
29 general plan of the city or county within which the district is
30 located and shall include all of the following:

31 (a) A map and legal description of the proposed district, which
32 may include all or a portion of the district designated by the
33 legislative body in its resolution of intention.

34 (b) A description of the public facilities required to serve the
35 development proposed in the area of the district including those
36 to be provided by the private sector, those to be provided by
37 governmental entities without assistance under this chapter, those
38 public improvements and facilities to be financed with assistance
39 from the proposed district, and those to be provided jointly. The

1 description shall include the proposed location, timing, and costs
2 of the public improvements and facilities.

3 (c) A finding that the public facilities are of communitywide
4 significance and provide significant benefits to an area larger than
5 the area of the district.

6 (d) A financing section, which shall contain all of the following
7 information:

8 (1) A specification of the maximum portion of the incremental
9 tax revenue of the city or county and of each affected taxing entity
10 proposed to be committed to the district for each year during which
11 the district will receive incremental tax revenue. The portion need
12 not be the same for all affected taxing entities. The portion may
13 change over time.

14 (2) A projection of the amount of tax revenues expected to be
15 received by the district in each year during which the district will
16 receive tax revenues, including an estimate of the amount of tax
17 revenues attributable to each affected taxing entity for each year.

18 (3) A plan for financing the public facilities to be assisted by
19 the district, including a detailed description of any intention to
20 incur debt.

21 (4) A limit on the total number of dollars of taxes which may
22 be allocated to the district pursuant to the plan.

23 (5) A date on which the district will cease to exist, by which
24 time all tax allocation to the district will end. The date shall not
25 be more than 30 years from the date on which the ordinance
26 forming the district is adopted pursuant to Section 53395.23.

27 (6) An analysis of the costs to the city or county of providing
28 facilities and services to the area of the district while the area is
29 being developed and after the area is developed. The plan shall
30 also include an analysis of the tax, fee, charge, and other revenues
31 expected to be received by the city or county as a result of expected
32 development in the area of the district.

33 (7) An analysis of the projected fiscal impact of the district and
34 the associated development upon each affected taxing entity.

35 (8) A plan for financing any potential costs that may be incurred
36 by reimbursing a developer of a project that is both located entirely
37 within the boundaries of that district and qualifies for the Transit
38 Priority Project Program, pursuant to Section 65470, including
39 any permit and affordable housing expenses related to the project.

1 (e) If any dwelling units occupied by persons or families of low
2 or moderate income are proposed to be removed or destroyed in
3 the course of private development or public works construction
4 within the area of the district, a plan providing for replacement of
5 those units and relocation of those persons or families consistent
6 with the requirements of Section 53395.5.

7 SEC. 13. Section 53395.17 of the Government Code is amended
8 to read:

9 53395.17. The legislative body shall conduct a public hearing
10 prior to adopting the proposed infrastructure financing plan. The
11 public hearing shall be called no sooner than 60 days after the plan
12 has been sent to each affected taxing entity. In addition to the
13 notice given to landowners and affected taxing entities pursuant
14 to Sections 53395.11 and 53395.12, notice of the public hearing
15 shall be given by publication not less than once a week for four
16 successive weeks in a newspaper of general circulation published
17 in the city or county in which the proposed district is located. The
18 notice shall state that the district will be used to finance public
19 works, briefly describe the public works, briefly describe the
20 proposed financial arrangements, including the proposed
21 commitment of incremental tax revenue, describe the boundaries
22 of the proposed district and state the day, hour, and place when
23 and where any persons having any objections to the proposed
24 infrastructure financing plan, or the regularity of any of the prior
25 proceedings, may appear before the legislative body and object to
26 the adoption of the proposed plan by the legislative body.

27 SEC. 14. Section 53395.85 of the Government Code is amended
28 to read:

29 53395.85. If a city or county that is a member of the Orangeline
30 Development Authority establishes an infrastructure financing
31 district pursuant to this chapter for the purpose of providing funding
32 for public transit facilities, that city or county may provide some
33 or all of this funding to the Orangeline Development Authority
34 for the purposes of furthering public transit facilities within the
35 jurisdiction of the authority, including facilities related to magnetic
36 levitation.

37 SEC. 15. Section 53396 of the Government Code is amended
38 to read:

39 53396. Any infrastructure financing plan may contain a
40 provision that taxes, if any, levied upon taxable property in the

1 area included within the infrastructure financing district each year
2 by or for the benefit of the State of California, or any affected
3 taxing entity after the effective date of the ordinance adopted
4 pursuant to Section 53395.23 to create the district, shall be divided
5 as follows:

6 (a) That portion of the taxes which would be produced by the
7 rate upon which the tax is levied each year by or for each of the
8 affected taxing entities upon the total sum of the assessed value
9 of the taxable property in the district as shown upon the assessment
10 roll used in connection with the taxation of the property by the
11 affected taxing entity, last equalized prior to the effective date of
12 the ordinance adopted pursuant to Section 53395.23 to create the
13 district, shall be allocated to, and when collected shall be paid to,
14 the respective affected taxing entities as taxes by or for the affected
15 taxing entities on all other property are paid.

16 (b) That portion of the levied taxes each year specified in the
17 adopted infrastructure financing plan for the city or county and
18 each affected taxing entity which has agreed to participate pursuant
19 to Section 53395.19 in excess of the amount specified in
20 subdivision (a) shall be allocated to, and when collected shall be
21 paid into a special fund of, the district for all lawful purposes of
22 the district. Unless and until the total assessed valuation of the
23 taxable property in a district exceeds the total assessed value of
24 the taxable property in the district as shown by the last equalized
25 assessment roll referred to in subdivision (a), all of the taxes levied
26 and collected upon the taxable property in the district shall be paid
27 to the respective affected taxing entities. When the district ceases
28 to exist pursuant to the adopted infrastructure financing plan, all
29 moneys thereafter received from taxes upon the taxable property
30 in the district shall be paid to the respective affected taxing entities
31 as taxes on all other property are paid.

32 ~~SEC. 16. Section 53890 of the Government Code is amended~~
33 ~~to read:~~

34 ~~53890. As used in this article, "local agency" means any city,~~
35 ~~county, and any district required to furnish financial reports~~
36 ~~pursuant to Section 12463.1 or 12463.3.~~

37 *SEC. 16. Section 66428 of the Government Code is amended*
38 *to read:*

39 66428. (a) Local ordinances may require a tentative map where
40 a parcel map is required by this chapter. A parcel map shall be

1 required for subdivisions as to which a final or parcel map is not
2 otherwise required by this chapter, unless the preparation of the
3 parcel map is waived by local ordinance as provided in this section.

4 A parcel map shall not be required for either of the following:

5 (1) Subdivisions of a portion of the operating right-of-way of
6 a railroad corporation, as defined by Section 230 of the Public
7 Utilities Code, that are created by short-term leases (terminable
8 by either party on not more than 30 days' notice in writing).

9 (2) ~~Any conveyance of land~~ *Land conveyed* to or from a
10 governmental agency, public entity, public utility, or for land
11 conveyed to a subsidiary of a public utility for conveyance to that
12 public utility for rights-of-way ~~shall not be considered a division~~
13 ~~of land for purposes of computing the number of parcels, unless~~
14 ~~a showing is made in individual cases, upon substantial evidence,~~
15 ~~that public policy necessitates a parcel map.~~ For purposes of this
16 subdivision, ~~any conveyance of land conveyed~~ to or from a
17 governmental agency shall include a fee interest, a leasehold
18 interest, an easement, or a license.

19 (b) A local agency shall, by ordinance, provide a procedure for
20 waiving the requirement for a parcel map, imposed by this division,
21 including the requirements for a parcel map imposed by Section
22 66426. The procedure may include provisions for waiving the
23 requirement for a tentative and final map for the construction of
24 a condominium project on a single parcel. The ordinance shall
25 require a finding by the legislative body or advisory agency, that
26 the proposed division of land complies with requirements
27 established by this division or local ordinance enacted pursuant
28 thereto as to area, improvement and design, floodwater drainage
29 control, appropriate improved public roads, sanitary disposal
30 facilities, water supply availability, environmental protection, and
31 other requirements of this division or local ordinance enacted
32 pursuant thereto. In any case, where the requirement for a parcel
33 map is waived by local ordinance pursuant to this section, a
34 tentative map may be required by local ordinance.

35 (c) If a local ordinance does not require a tentative map where
36 a parcel map is required by this division, the subdivider shall have
37 the option of submitting a tentative map, or if he or she desires to
38 obtain the rights conferred by Chapter 4.5 (commencing with
39 Section 66498.1), a vesting tentative map.

1 SEC. 17. Section 66442.5 of the Government Code is amended
2 to read:

3 66442.5. The following statements shall appear on a final map:

4
5 Engineer’s or Surveyor’s statement:

6 This map was prepared by me or under my direction and is based
7 upon a field survey in conformance with the requirements of the
8 Subdivision Map Act and local ordinance at the request of (name
9 of person authorizing map) on (date). I hereby state that all the
10 monuments are of the character and occupy the positions indicated
11 or that they will be set in those positions before (date), and that
12 the monuments are, or will be, sufficient to enable the survey to
13 be retraced, and that this final map substantially conforms to the
14 conditionally approved tentative map.

15
16 (Signed) _____ (Date Signed) _____
17 L.S. or R.C.E. No. _____ (Seal)

18
19 Recorder’s certificate or statement.
20 Filed this ___ day of ___, 20___, at ___m. in Book ___ of ___, at page
21 ___, at the request of _____.

22 Signed _____
23 County Recorder

24
25 SEC. 18. Section 66449 of the Government Code is amended
26 to read:

27 66449. The following statements shall appear on a parcel map:

28 Engineer’s or Surveyor’s statement:

29 This map was prepared by me or under my direction (and was
30 compiled from record data) (and is based upon a field survey) in
31 conformance with the requirements of the Subdivision Map Act
32 and local ordinance at the request of (name of person authorizing
33 map) on (date). I hereby state that this parcel map substantially
34 conforms to the approved or conditionally approved tentative map,
35 if any.

36
37 (Signed) _____ (Date Signed) _____
38 L.S. or R.C.E. No. _____(Seal)

39
40 Recorder’s certificate or statement.

1 Filed this ___ day of ___, 20___, at ___m. in Book ___ of ___, at page
2 ___, at the request of _____.

3 Signed _____
4 County Recorder

5
6 SEC. 19. Section 9002 of the Health and Safety Code is
7 amended to read:

8 9002. The definitions in Chapter 1 (commencing with Section
9 7000) of Part 1 of Division 7 apply to this part. Further, as used
10 in this part, the following terms have the following meanings:

11 (a) "Active militia" means the active militia as defined by
12 Section 120 of the Military and Veterans Code.

13 (b) "Armed services" means the armed services as defined by
14 Section 18540 of the Government Code.

15 (c) "Board of trustees" means the legislative body of a district.

16 (d) "District" means a public cemetery district created pursuant
17 to this part or any of its statutory predecessors.

18 (e) "Domestic partner" means two adults who have chosen to
19 share one another's lives in an intimate and committed relationship
20 of mutual caring, and are qualified and registered with the Secretary
21 of State as domestic partners in accordance with Division 2.5; of
22 the Family Code.

23 (f) "Family member" means any spouse, by marriage or
24 otherwise, domestic partner, child or stepchild, by natural birth or
25 adoption, parent, brother, sister, half-brother, half-sister,
26 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt,
27 uncle, first cousin, or any person denoted by the prefix "grand" or
28 "great," or the spouse of any of these persons.

29 (g) "Firefighter" means a firefighter as defined by Section
30 1797.182.

31 (h) "Interment right" means the right to use or control the use
32 of a plot, niche, or other space, authorized by this part, for the
33 interment of human remains.

34 (i) "Nonresident" means a person who does not reside within a
35 district or does not pay property taxes on property located in a
36 district.

37 (j) "Peace officer" means a peace officer as defined by Section
38 830 of the Penal Code.

39 (k) "Principal county" means the county having all or the greater
40 portion of the entire assessed value, as shown on the last equalized

1 assessment roll of the county or counties, of all taxable property
2 within a district.

3 (l) "Voter" means a voter as defined by Section 359 of the
4 Elections Code.

5 SEC. 20. Section 9973 of the Public Resources Code is
6 repealed.

7 SEC. 21. Section 9974 of the Public Resources Code is
8 repealed.

9 SEC. 22. Section 9975 of the Public Resources Code is
10 repealed.

11 SEC. 23. Section 9976 of the Public Resources Code is
12 repealed.

13 SEC. 24. Section 9977 of the Public Resources Code is
14 repealed.

15 SEC. 25. Section 9978 of the Public Resources Code is
16 repealed.

17 SEC. 26. Section 32556 of the Public Resources Code is
18 amended to read:

19 32556. (a) The board shall consist of 13 voting members and
20 7 nonvoting members.

21 (b) The 13 voting members of the board shall consist of the
22 following:

23 (1) The Secretary of the Resources Agency, or his or her
24 designee.

25 (2) The Director of Parks and Recreation, or his or her designee.

26 (3) The Director of Finance, or his or her designee.

27 (4) The Director of the Los Angeles County Department of
28 Parks, or his or her designee.

29 (5) The member of the Los Angeles County Board of
30 Supervisors within whose district the majority of the Baldwin Hills
31 area is located, or his or her designee.

32 (6) Six members of the public appointed by the Governor who
33 are residents of Los Angeles County and who represent the
34 diversity of the community surrounding the Baldwin Hills area.

35 Of those six members, four members shall be selected as follows:

36 (A) One member shall be a resident of Culver City selected
37 from a list of three persons nominated by the city council.

38 (B) Three members shall be residents of the adjacent
39 communities of Blair Hills, Ladera Heights, Baldwin Hills,
40 Windsor Hills, Inglewood, View Park, or Baldwin Vista.

1 (7) A resident of Los Angeles County appointed by the Speaker
2 of the Assembly, and a resident of Los Angeles County appointed
3 by the Senate Committee on Rules.

4 (c) The seven nonvoting members shall consist of the following:

5 (1) The Secretary of the California Environmental Protection
6 Agency, or his or her designee.

7 (2) The Executive Officer of the State Coastal Conservancy, or
8 his or her designee.

9 (3) The Executive Officer of the State Lands Commission, or
10 his or her designee.

11 (4) An appointee of the Governor with experience in developing
12 contaminated sites, commonly referred to as “brownfields.”

13 (5) The Executive Director of the Santa Monica Mountains
14 Conservancy, or his or her designee.

15 (6) The Director of the Culver City Human Services Department,
16 or his or her designee.

17 (7) The Director of the Department of Conservation, or his or
18 her designee.

19 (d) A quorum shall consist of seven voting members of the
20 board, and any action of the board affecting any matter before the
21 board shall be decided by a majority vote of the voting members
22 present, a quorum being present. However, the affirmative vote
23 of at least four of the voting members of the board shall be required
24 for the transaction of any business of the board.

25 (e) The board shall do both of the following:

26 (1) Study the potential environmental and recreational uses of
27 Ballona Creek and the adjacent property described in subdivision
28 (a) of Section 32553.

29 (2) Develop a proposed map for that area.

30 SEC. 27. Section 36622 of the Streets and Highways Code is
31 amended to read:

32 36622. The management district plan shall contain all of the
33 following:

34 (a) If the assessment will be levied on property, a map of the
35 district in sufficient detail to locate each parcel of property and, if
36 businesses are to be assessed, each business within the district. If
37 the assessment will be levied on businesses, a map that identifies
38 the district boundaries in sufficient detail to allow a business owner
39 to reasonably determine whether a business is located within the
40 district boundaries. If the assessment will be levied on property

1 and businesses, a map of the district in sufficient detail to locate
2 each parcel of property and to allow a business owner to reasonably
3 determine whether a business is located within the district
4 boundaries.

5 (b) The name of the proposed district.

6 (c) A description of the boundaries of the district, including the
7 boundaries of benefit zones, proposed for establishment or
8 extension in a manner sufficient to identify the affected lands and
9 businesses included. The boundaries of a proposed property
10 assessment district shall not overlap with the boundaries of another
11 existing property assessment district created pursuant to this part.
12 This part does not prohibit the boundaries of a district created
13 pursuant to this part to overlap with other assessment districts
14 established pursuant to other provisions of law, including, but not
15 limited to, the Parking and Business Improvement Area Law of
16 1989 (Part 6 (commencing with Section 36500)). This part does
17 not prohibit the boundaries of a business assessment district created
18 pursuant to this part to overlap with another business assessment
19 district created pursuant to this part. This part does not prohibit
20 the boundaries of a business assessment district created pursuant
21 to this part to overlap with a property assessment district created
22 pursuant to this part.

23 (d) The improvements and activities proposed for each year of
24 operation of the district and the maximum cost thereof. If the
25 improvements and activities proposed for each year of operation
26 are the same, a description of the first year's proposed
27 improvements and activities and a statement that the same
28 improvements and activities are proposed for subsequent years
29 shall satisfy the requirements of this subdivision.

30 (e) The total annual amount proposed to be expended for
31 improvements, maintenance and operations, and debt service in
32 each year of operation of the district. If the assessment is levied
33 on businesses, this amount may be estimated based upon the
34 assessment rate. If the total annual amount proposed to be expended
35 in each year of operation of the district is not significantly different,
36 the amount proposed to be expended in the initial year and a
37 statement that a similar amount applies to subsequent years shall
38 satisfy the requirements of this subdivision.

39 (f) The proposed source or sources of financing, including the
40 proposed method and basis of levying the assessment in sufficient

1 detail to allow each property or business owner to calculate the
2 amount of the assessment to be levied against his or her property
3 or business. The plan also shall state whether bonds will be issued
4 to finance improvements.

5 (g) The time and manner of collecting the assessments.

6 (h) The specific number of years in which assessments will be
7 levied. In a new district, the maximum number of years shall be
8 five. Upon renewal, a district shall have a term not to exceed 10
9 years. Notwithstanding these limitations, a district created pursuant
10 to this part to finance capital improvements with bonds may levy
11 assessments until the maximum maturity of the bonds. The
12 management district plan may set forth specific increases in
13 assessments for each year of operation of the district.

14 (i) The proposed time for implementation and completion of
15 the management district plan.

16 (j) Any proposed rules and regulations to be applicable to the
17 district.

18 (k) A list of the properties or businesses to be assessed, including
19 the assessor's parcel numbers for properties to be assessed, and a
20 statement of the method or methods by which the expenses of a
21 district will be imposed upon benefited real property or businesses,
22 in proportion to the benefit received by the property or business,
23 to defray the cost thereof, including operation and maintenance.

24 (l) Any other item or matter required to be incorporated therein
25 by the city council.

26 *SEC. 28. Section 3.1 of the Kings River Conservation District*
27 *Act (Chapter 1931 of the Statutes of 1951), as amended by Chapter*
28 *330 of the Statutes of 2012, is amended to read:*

29 Sec. 3.1. (a) (1) One director shall be elected in accordance
30 with this section by the voters of each electoral division.

31 (2) A candidate for the board of directors shall be a resident in
32 the electoral division for which he or she is a candidate.

33 (3) A director shall continue to reside within the electoral
34 division during his or her term of office, except that no change in
35 boundaries of an electoral division shall affect the term of office
36 of an incumbent director.

37 (b) Consistent with the requirements of Section 10404 of the
38 Elections Code, the first elections for Division One, Division Three,
39 and Division Five established pursuant to Section 3 shall be
40 conducted at the November 4, 2014, general district election.

1 (c) Consistent with the requirements of Section 10404 of the
2 Elections Code, the first elections for Division Two, Division Four,
3 Division Six, and Division Seven established pursuant to Section
4 3 shall be conducted at the November 8, 2016, general district
5 election.

6 (d) Except as otherwise provided by this act, the term of office
7 for each director elected pursuant to subdivisions (b) and (c) shall
8 be four years and the director shall hold office until his or her
9 successor qualifies and takes office.

10 (e) Elections pursuant to this section shall be conducted in
11 accordance with the Uniform District Election Law (Part 4
12 (commencing with Section 10500) of Division 10 of the Elections
13 Code).

14 (f) *The candidate receiving the highest number of votes cast for*
15 *the office of director for a specific division shall be declared*
16 *elected.*

17 *SEC. 29. Section 23 of the Kings River Conservation District*
18 *Act (Chapter 931 of the Statutes of 1951) is amended to read:*

19 *Sec. 23. All vacancies occurring in the office of director shall*
20 *be filled by appointment by the remaining directors, and if a person*
21 *appointed or elected fails to qualify, the office shall be filled as if*
22 *there were a vacancy in the office. An appointment to fill the*
23 *vacancy in the office of director shall be for the unexpired term*
24 *for the office in which the vacancy exists in accordance with*
25 *Section 1780 of the Government Code. Before entering upon the*
26 *duties of his office, each director shall take and subscribe the*
27 *official oath and file it with the secretary. The oath of office may*
28 *be taken before the secretary, any member of the board or any*
29 *officer authorized by law to administer oaths.*

30 *SEC. 30. Section 24 of the Kings River Conservation District*
31 *Act (Chapter 931 of the Statutes of 1951), as amended by Chapter*
32 *330 of the Statutes of 2012, is repealed.*

33 *Sec. 24. Consistent with the requirement heretofore imposed*
34 *by the District pursuant to Elections Code Section 10404, the*
35 *election of directors shall be held on the first Tuesday after the*
36 *first Monday in November in each even-numbered year, and each*
37 *director must be an elector and resident of the division for which*
38 *he or she is elected.*

39 *The candidate receiving the highest number of votes cast for the*
40 *office of director for a specific division shall be declared elected.*

FORM OF APPOINTMENT

The undersigned hereby appoint _____ the following voters of Kings River Conservation District as verification deputies to obtain signatures to a certificate of nomination nominating _____ as a candidate for the office of director of said district at an election to be held in said district on the _____ day of _____, 20 ____.

Name Address

Dated this _____ day of _____, 20 ____.

Residence Signature

(2) The certificate of nomination shall be signed by not less than 25 voters of the division from which the candidate is to be elected, or in the event any division shall have less than 100 voters resident therein, such certificate shall be signed by not less than 25 percent of the voters of such division. In the case of the director at large, the certificate of nomination shall be signed by not less than 25 voters of the district. The certificate of nomination may consist of one or more parts and shall read substantially as follows:

CERTIFICATE OF NOMINATION

We, the undersigned, certify that we do hereby join in a certificate of nomination of _____, whose residence is at _____, for the office of director of Kings River Conservation District from Division _____, (or at large) to be voted for at the election to be held in said district on the _____ day of _____, 20 ____, and each of us further certifies that he or she is a voter residing within said Division _____ (or said district) and is not at this time a signer of any other certificate nominating any other candidate for the above-named office and that his or her residence and occupation are as hereinafter stated:

Signatures Residence Occupation Date

Verification Deputy's Affidavit

1 State of California }
2 County of _____ } SS.
3

4 —I, _____, solemnly swear that I have been appointed according to the
5 provisions of the Kings River Conservation District Act as a verification deputy
6 to secure signatures to a certificate of nomination of _____ as a candidate
7 for election to the office of director of Kings River Conservation District; that
8 all the signatures on this section of the certificate were made in my presence
9 and that to my knowledge and belief each of the signatures is a genuine
10 signature of the person whose name it purports to be.

11 _____
12 Verification Deputy

13 Subscribed and sworn to before me this _____ day of _____, 20____.

14 _____
15 Notary Public (or other officer)

16 The certificate of nomination of which this section forms a part shall, if found
17 insufficient, be returned to the verification deputy at _____(address);
18 California.

19
20 *SEC. 31. Section 29 of the Kings River Conservation District*
21 *Act (Chapter 1931 of the Statutes of 1951) is amended to read:*

22 *Sec. 29. Whenever the board deems it necessary for the district*
23 *to incur a bonded indebtedness, it shall by resolution so declare*
24 *and state in said that resolution the purpose for which the proposed*
25 *debt is to be incurred and, the amount thereof, and shall by said*
26 *resolution fix a time and place for a hearing by the board on the*
27 *question as to whether the whole district or only a portion thereof*
28 *will be benefited by the accomplishment of said the purpose, and*
29 *if only a portion thereof will be so benefited, what portion thereof*
30 *will be so benefited. Notice of such the hearing shall thereupon*
31 *be given by the secretary by publication of a copy of said the*
32 *resolution in one newspaper of general circulation, printed and*
33 *published in each county within which any portion of the district*
34 *lies at least once a week for two weeks prior to the hearing. Said*
35 *The copy of said the resolution so published shall be accompanied*
36 *by a notice subscribed by the secretary to the effect that the hearing*
37 *referred to in said the resolution will be had held at the time and*
38 *place specified in said the resolution and that at said time any*
39 *person interested, including all persons owning property in said*

1 *the* district, will be heard upon the question stated in ~~said~~ *the*
2 resolution.

3 At the time and place fixed in ~~said~~ *the* resolution for ~~said~~ *the*
4 hearing or at ~~such~~ *this* time and place to which ~~said~~ *the* hearing
5 may be adjourned, the board may proceed with the hearing, and
6 any person interested, including any and all persons owning
7 property within the district, may appear and present any and all
8 ~~such~~ matters material to the question as he *or she* may desire. Upon
9 the conclusion of the hearing, the board shall by resolution
10 determine whether the whole of the district will be benefited by
11 the accomplishment of the purpose stated; and if it determines that
12 the whole of the district will not be so benefited by the
13 accomplishment of ~~such~~ *the* purpose, it shall state what portion of
14 the district will be so benefited; and that portion of the district so
15 described shall thereupon constitute and be known as Improvement
16 District No. ____ of Kings River Conservation District; and the
17 proceedings thereafter, for the purpose of the bond election within
18 ~~said~~ *the* improvement district and for the purpose of taxation for
19 the payment of ~~said~~ *the* bonds and interest, shall be limited and
20 apply only to ~~said~~ *the* improvement district. The determination of
21 the board on this question shall be final and conclusive.

22 If the board by ~~such~~ *the* resolution determines that only a portion
23 of the district will be benefited and creates an improvement district
24 as hereinabove provided, it shall adjourn the hearing for not less
25 than 40 nor more than 70 days. Within 10 days after ~~such~~ *the* order
26 of adjournment, the secretary shall publish once in one newspaper
27 of general circulation, printed and published in each county within
28 which any portion of the improvement district lies, a notice stating
29 the time and place fixed for the adjourned hearing, and that at or
30 prior to ~~such~~ *the* hearing any person owning land in said
31 improvement district may file written protest to the incurring of
32 the proposed bonded indebtedness by ~~such~~ *the* improvement
33 district, and at the time and place fixed any person interested may
34 appear and be heard on the question of whether ~~such~~ *the* bonded
35 indebtedness should be incurred by ~~such~~ *the* improvement district.
36 If at or prior to the adjourned hearing written objections to the
37 incurring of the proposed bonded indebtedness by ~~such~~ *the*
38 improvement district, signed by the owners of the majority of the
39 acreage of land within ~~such~~ *the* improvement district are filed with
40 the secretary, then the board, by resolution adopted at the hearing,

1 shall abandon proceedings for the proposed bond issue. The last
2 equalized assessment roll of each county containing land within
3 ~~such the~~ improvement district is prima facie evidence of ownership
4 of land in that county. If the proceedings are not abandoned as
5 hereinabove provided, the board, if it ~~deem~~ *deems* it necessary to
6 incur ~~such the~~ bonded indebtedness, shall by a resolution so declare
7 and state the purpose for which the proposed debt is to be incurred,
8 whether or not the whole of the district is to be benefited thereby
9 or only a portion thereof, and if only a portion thereof a description
10 of ~~such the~~ portion sufficient for identification and the designation
11 thereof, all in accordance with the determination of the board as
12 expressed in its previous resolution, the amount of the debt to be
13 incurred, the maximum term the bonds to be issued shall run before
14 maturity, which shall not exceed 40 years, and the amount or rate
15 of interest to be paid, which shall not exceed 5 percent, payable
16 annually or semiannually, and the proposition to be submitted to
17 the voters of the district or of the improvement district, as the case
18 may be.

19 The board shall fix a date upon which an election shall be held
20 for the purpose of authorizing ~~said the~~ bonded indebtedness to be
21 incurred, and shall provide for the holding of ~~such the~~ special
22 election on the date so fixed. ~~Such The~~ special election may be
23 held concurrently with a general district election. ~~Such The~~ special
24 election shall be called and held in accordance with ~~the provisions~~
25 ~~of Section 24 hereof Chapter 4 (commencing with Section 21925)~~
26 ~~of Part 4 of Division 11 of the Water Code~~ insofar as the same
27 may be applicable, ~~but in addition to the matters and things required~~
28 ~~to be set forth in the proclamation therein provided for, such~~
29 ~~proclamation shall likewise contain a copy of the resolution~~
30 ~~declaring the necessity to incur such bonded indebtedness~~
31 ~~hereinabove referred to.~~ The returns of the election shall be made
32 to and the votes canvassed by the board on the first Tuesday which
33 is six or more days after the election, and the results of the election
34 shall be ascertained and declared in accordance with ~~the provisions~~
35 ~~of Section 24 hereof Chapter 4 (commencing with Section 21925)~~
36 ~~of Part 4 of Division 11 of the Water Code.~~ As soon as the result
37 is declared, the secretary shall enter in the records of the board his
38 statement of the result. ~~No~~ Any irregularity or informality in the
39 conduct of the election shall *not* invalidate the election if fairly
40 conducted.

1 If ~~from such returns~~ it appears *from the returns* that more than
2 two-thirds of the votes cast ~~as such~~ *at the* election were in favor
3 of incurring the indebtedness, the board may be resolution at such
4 time or times as it deems proper provide for the form and execution
5 of ~~such~~ *the* bonds and for the issuance of any part thereof and may
6 sell or dispose of the bonds so issued ~~at such times~~ *that time* and
7 ~~in such~~ manner as the board deems to be to the public interest.

O